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BOARD MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD

JOE SERNA, JR., Cal/EPA BUILDING
1001 I STREET
2ND FLOOR
CENTRAL VALLEY AUDITORIUM
SACRAMENTO, CALIFORNIA

WEDNESDAY, MARCH 19, 2003

1:30 P.M.

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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

BOARD MEMBERS

Linda Moulton-Patterson, Chairperson

Jose Medina, Vice Chairperson

Steven R. Jones

Michael Paparian

Cheryl Peace

Carl Washington

STAFF

Mark Leary, Executive Director

Julie Nauman, Chief Deputy Director

Kathryn Tobias, Chief Counsel

Scott Walker, Acting Deputy Director

Chuck White, Waste Management

Mark de Bie, Permitting and Inspection

ALSO PRESENT

Senator Richard Alarcon

Assemblymember Cindy Montanez

Mike Mohaier, Los Angeles County Public Works

Carol Ann Ziehler, East Valley Coalition

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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

1 PROCEEDINGS

2 CHAIRPERSON MOULTON-PATTERSON: Good afternoon.

3 I'd like to welcome you back to the Board meeting, and I'd
4 like to reopen our Board meeting.

5 We have one item left today, but before I do
6 that, please -- I'm sorry, Sharon. I'll give you a chance
7 to get down there.

8 Please call the roll.

9 SECRETARY WADDELL: Jones?

10 BOARD MEMBER JONES: Here.

11 SECRETARY WADDELL: Medina?

12 BOARD MEMBER MEDINA: Here.

13 SECRETARY WADDELL: Paparian?

14 BOARD MEMBER PAPARIAN: Here.

15 SECRETARY WADDELL: Peace?

16 BOARD MEMBER PEACE: Here.

17 SECRETARY WADDELL: Washington?

18 BOARD MEMBER WASHINGTON: Here.

19 SECRETARY WADDELL: Moulton-Patterson?

20 CHAIRPERSON MOULTON-PATTERSON: Here.

21 Any ex partes?

22 Mr. Jones.

23 BOARD MEMBER JONES: Madam Chair, I just got back
24 from speaking at SWANA, Solid Waste Substation, North
25 America's Sacramento chapter, and just discussed Board

1 items.

2 CHAIRPERSON MOULTON-PATTERSON: Ms. Peace.

3 BOARD MEMBER PEACE: I have a list of letters
4 here opposing the Bradley project that also went to Linda
5 Moulton-Patterson, and I also received this morning a
6 letter from Waste Management.

7 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.
8 Did you want to read those?

9 BOARD MEMBER PAPARIAN: That may be the same list
10 I read yesterday.

11 CHAIRPERSON MOULTON-PATTERSON: Okay. Someone
12 read it in and -- Mr. Medina.

13 BOARD MEMBER MEDINA: I have the same letters,
14 those in support and those in opposition. And other than
15 that, I'm up to date.

16 In terms of the letters that -- you want to read
17 the letters into the record?

18 CHAIRPERSON MOULTON-PATTERSON: The names, for
19 all the Board members, if you didn't mind. Sure.

20 BOARD MEMBER MEDINA: I have one letter from
21 Waste Management, Kent Stoddard; and then I have a number
22 of individuals that sent in letters.

23 BOARD MEMBER PAPARIAN: I think those look like
24 the ones I read into the record yesterday.

25 CHAIRPERSON MOULTON-PATTERSON: Yesterday. Okay.

1 Thank you.

2 Mr. Paparian, anything new?

3 BOARD MEMBER PAPARIAN: Thank you, Madam Chair.

4 Yesterday at the end of the meeting I spoke with
5 several people following up on the C and E items. They
6 included Mike Hammer, Jeff Crocker, Patrick Munoz, and
7 Barry Broad. I also at that time ran into Kent Stoddard
8 and Chuck White from Waste Management.

9 CHAIRPERSON MOULTON-PATTERSON: Thank you.

10 Mr. Washington.

11 BOARD MEMBER WASHINGTON: Yes. Mike Hammer from
12 yesterday, and I just briefly spoke to Kent Stoddard.

13 CHAIRPERSON MOULTON-PATTERSON: Mr. Medina.

14 BOARD MEMBER MEDINA: I ran into basically the
15 same people that Mr. Paparian did after yesterday's
16 meeting, all of those individuals.

17 CHAIRPERSON MOULTON-PATTERSON: Thank you.

18 And I neglected to report yesterday that I also
19 had a conversation with Senator Chesbro regarding our
20 community structure. And other than that, I'm up to date.

21 I'm going to be turning it over to Mr. Leary. We
22 have one item, 31, Consideration of a Revised Full Solid
23 Waste Facilities Permit for Bradley Landfill West and West
24 Extension Los Angeles County.

25 Did you want to -- how long is your report?

1 EXECUTIVE DIRECTOR LEARY: Very brief,
2 Madam Chair.

3 CHAIRPERSON MOULTON-PATTERSON: Okay. Then I'll
4 go to Senator and Assemblywoman.

5 EXECUTIVE DIRECTOR LEARY: Our report will
6 actually be presented by Scott Walker and Mark de Bie. We
7 have a very short presentation. I know we want to defer
8 to our legislative guests. Thank you.

9 CHAIRPERSON MOULTON-PATTERSON: I apologize.
10 Mr. Paparian is Chair of the Permits and Enforcement
11 Committee. He will give a brief report.

12 BOARD MEMBER PAPARIAN: Thank you, Madam Chair.

13 As Chair of the Permitting and Enforcement
14 Committee and the Environmental Community Representative
15 on the Board, I have been very involved in this issue.
16 Sometimes it feels like my staff and I have been working
17 on little else. Well, maybe tires. But we have been
18 working quite a bit on this.

19 Before we get started on the issue, I thought I
20 should remind the Board that we have three options when we
21 ultimately deal with this permit. One would be to concur
22 with the permit. One would be to not concur with the
23 permit, in which case the law calls on us to specify
24 certain reasons for not concurring. And I think our
25 council can help us there, if needed. And then the final

1 option is if we do neither of the first two. If there are
2 not four votes either way, the permit would be sent back
3 to the City of Los Angeles Local Enforcement Agency for
4 them to finalize dealing with the issuance of the permit.

5 Since the February 13th workshop that we held in
6 Sun Valley, my advisor, Kit Cole, and P&E staff,
7 Mark de Bie have attended meetings between the community
8 and Waste Management. There have been two all-day
9 meetings. They have focused on CEQA issues, capacity,
10 aesthetic considerations, ground water, and I believe
11 other issues of the Bradley Landfill.

12 Waste Management provided the meeting facilities
13 and technical consultants for the meetings with the
14 community, as well as people who could answer questions
15 and provide copies of the materials that were requested by
16 the community.

17 There has been no shortage of media interest in
18 the issue. I think there have been some pretty regular
19 stories in the Daily News and elsewhere on this matter.

20 Much of the work on this issue has been done by
21 Board staff and Kit Cole, as I mentioned. But much more
22 has, I know, been done by the Sun Valley community, by
23 Waste Management, by Council Member Galanter, by the
24 legislators who we're going to hear from shortly.

25 But I do want to emphasize we've been taking this

1 issue very seriously, and our P&E staff and my staff have
2 been working very hard on it.

3 There are issues that have come up involving
4 public outreach, involving access to information,
5 involving environmental justice, and I think all of these
6 have been part of the discussions that have been taking
7 place.

8 I'm very hopeful that the interactions that have
9 been started between the community and Waste Management
10 can continue, and I'm hopeful that there will be positive
11 results from those discussions.

12 And I know that there are some folks who have
13 come a long way from Sun Valley today, and I want to make
14 sure we give them enough time to make their presentations
15 and allow us to hear whatever remaining issues there might
16 be before we ultimately make our decisions.

17 CHAIRPERSON MOULTON-PATTERSON: Thank you,
18 Mr. Paparian.

19 I might say that, first of all, I enjoyed very
20 much the public -- not the public meeting, but the
21 workshop that we held in Sun Valley and appreciated all
22 the participation. And I think all the Board members that
23 were present really appreciated hearing the different
24 perspectives.

25 I did receive a letter from Assemblymember

1 Montanez, and there were a number of questions that I'm
2 not sure can be fully answered, and there was a request to
3 continue it to the April Board meeting. It's my
4 understanding that if we do that, the clock -- the time
5 will run out. But we are having an April 9th special
6 emergency meeting, and we could answer your questions
7 fully and then have this hearing at that time.

8 But what I want to do is I want to make sure the
9 people who came up -- and I want to hear from the Senator
10 and Assemblywoman Montanez and get a brief update from
11 Mr. Leary. But my inclination right now is that we might
12 be postponing it because you raised some very serious
13 questions that we want to answer.

14 So with that, Mr. Leary.

15 EXECUTIVE DIRECTOR LEARY: Madam Chair, thank you
16 very much. Good afternoon, Members.

17 Mark de Bie will do a short staff presentation on
18 the Bradley Landfill and remind you of the context, and
19 then we'll go to public comment.

20 MR. DeBIE: Thank you very much. Mark de Bie
21 with Permitting and Inspection.

22 Thank you, Member Paparian, for shortening my
23 presentation even more with giving the updates.
24 Appreciate that.

25 One thing I wanted to add to what you indicated

1 was that in staff's participation in those follow-up
2 meetings to the February 13th meeting, we found that it
3 was very effective in facilitating the sharing of
4 information among the community, ourselves, as well as the
5 other individuals that were attending those meetings,
6 including local and state government representatives and
7 other regulatory agencies, as well as the LEA.

8 The proposed permit revision for the Bradley
9 Landfill will basically rectify several inconsistencies
10 between the current landfill operations and those
11 described in the permit that was last revised in 1998. It
12 also adds clarification about the limits and takes care of
13 some ambiguous language in the current permitting
14 documents.

15 The proposed permit addresses basically height,
16 capacity, total, as well as disposal acreage, final fill
17 plan configuration, and estimated closure date.

18 I can provide you additional details, but I think
19 staff will ask to defer that until after testimony.

20 CHAIRPERSON MOULTON-PATTERSON: Thank you very
21 much.

22 Senator Alarcon, would you like to address us?
23 Welcome.

24 SENATOR ALARCON: Good afternoon.

25 First of all, let me thank the Board for

1 conducting the hearing -- I should say the informational
2 meeting in the San Fernando Valley and Sun Valley and Sun
3 Valley Middle School. I think the one thing that was
4 learned from that hearing is that people are very
5 passionate about this issue, whether you're for or against
6 it. But it speaks to the importance of the decisions made
7 by this body and how critical it is that you have a full
8 understanding of the issues related to the Bradley
9 Landfill Expansion.

10 However, I would also challenge you to more fully
11 understand the nature of environmental justice.
12 Environmental justice is not a notion of a simple act or a
13 single act. It's a notion of a conglomeration of acts
14 that have been imposed on a community.

15 In this case you're talking about an industrial
16 area, an area that has not only been impacted by the
17 concentration of metal-related industries; aerospace,
18 railroad tracks, and the scenario of high concentration of
19 landfills -- I've said this many times. When I was a kid,
20 I could ride my bike in five minutes in any direction and
21 hit a landfill. That's an absolute fact. Although
22 depending on which direction I go, I might have to pedal a
23 little faster.

24 The other major negative impact on the Sun Valley
25 community is that Burbank Airport is just south of this

1 particular site, and the planes land almost directly over
2 the residential that is also negatively impacted by the
3 landfill.

4 I don't need to speak of -- an industrial area
5 requires a lot of truck traffic. And that means that Sun
6 Valley is an area -- in fact, when I was on the AQMD, we
7 actually conducted special monitoring of the air in that
8 area, and as a Board member, I specifically asked to have
9 it concentrated in Sun Valley. And, indeed, we found that
10 there was a concentration of negative environmental
11 impacts in the air.

12 On top of all that, we've most recently found out
13 that there's radioactivity in the leachate that is leaking
14 from the Waste Management Landfill at Bradley. 22 sites,
15 landfills, now test high for radiation according to the
16 L.A. Times article. And, in fact, Bradley exceeded
17 recommendation of levels of gross beta radiation.

18 And so, first of all, I think that this Board's
19 responsibility transcends the specific responsibilities
20 relative to the site itself. And what I mean by that is
21 that there are federal guidelines that direct that your
22 responsibilities, in fact, include environmental justice.
23 And in dealing with the issue of environmental justice,
24 you cannot make a decision in a vacuum. You must consider
25 the other factors in the community.

1 In this case, Sun Valley is a cesspool of
2 environmental degradation as a result of the high
3 concentration of industrial use. I'm not suggesting that
4 Waste Management is to blame for all of that degradation.
5 Notwithstanding that, it is your responsibility to
6 consider it all relative to any new decisions that have to
7 be made with regard to it. So it is your responsibility.
8 It is your mission, in fact, to protect the environment
9 for the public's health and safety. That's why you were
10 created. Expanding landfills without due diligence is a
11 contradiction to your mission and may be a dereliction of
12 your duty. We all know the hazards related to landfills.
13 They're even more heightened now with the awareness of
14 dumping of radioactive waste.

15 I believe staff erred in their determination that
16 this landfill should be -- this grading permit should be
17 validated. I believe there is severe question as to
18 whether the landfill does meet the state minimum
19 standards. Bradley has violated those standards 35 times
20 since 1998. I don't know how any reasonable person could
21 say that a landfill that has violated the minimum --
22 violated its permit 35 times in such a short span of time
23 can stand up to the state minimum standards. I believe
24 staff is wrong on this point.

25 Secondly, we believe the regrade is an expansion

1 and it will allow for an increase in capacity on the
2 specific site, recognizing that some of that is expansion
3 that would be used at the site next door otherwise.

4 But because the expansion will cause damage to
5 the environment and the public's health and safety, I
6 absolutely believe that all other alternatives need to be
7 explored before granting any such expansion.

8 Specifically, I believe the City of Los Angeles was number
9 one in error when they granted the original permit.

10 Secondly, I believe there is new information that
11 must be fully explored by the LEA. Your options to refer
12 this matter back to the LEA I think would be appropriate
13 in this case. Let the City of Los Angeles review this in
14 the context of the new findings related to radioactive
15 materials at that site in particular, as well as any other
16 site that they may find it. But I think that to grant
17 this permit is to turn a blind eye to the new findings
18 relative to radioactive waste.

19 Now I've gone public, and I'm angry at the
20 Department of Health Services for setting such a low
21 threshold regarding radioactive waste. Let me say even
22 Waste Management supported Senator Romero's bill to lower
23 that threshold. But in doing so, in saying that you
24 believe that that threshold is too high, then you cannot
25 approve this permit knowing that the City of Los Angeles

1 did not consider the impact of radioactive materials at
2 the site. And until they are able to conduct the full
3 environmental reviews necessary to make a firm
4 determination with regard to radioactive materials, I
5 believe it is wrong for this Board to approve. I believe
6 it also may be illegal and actionable by other parties,
7 and certainly by the community.

8 And so on the basis of all of these things, I
9 think that, number one, you cannot support staff's finding
10 that the state minimum standards are consistent. In fact,
11 if anything, you should find it's inconsistent. Secondly,
12 I don't believe that the LEA has the authority to tell
13 Waste Management that they can go ahead and move forward
14 with a permit notwithstanding your authority. In fact,
15 that's exactly what they did. They told them to go ahead,
16 as if their permit were approved, when state law says that
17 you are the only ones that can tell them to move forward
18 with a permit. I believe they have violated the law. The
19 LEA has violated the law by directing Waste Management to
20 perform in accordance with the approval by the City of
21 Los Angeles because you're the only ones that can grant
22 that permit.

23 So for a year and a half they have acted as if
24 the permit were approved. You never acted on it. I don't
25 think they have the right to do that. Now two-thirds of

1 the permit -- two-thirds of the capacity that was
2 requested in the permit has already been done. Now, if
3 that doesn't usurp your authority, I don't know what does.
4 So I don't know how this Board can allow local
5 jurisdictions to unilaterally take your authority away and
6 approve something, ignoring your responsibilities, your
7 authority, your statutory-delegated authority, and just
8 tell them, "Go ahead and operate. It's going to be fine."
9 I don't think they can do that, and I think you should
10 send this back and tell them with a very strong message
11 they need to rethink what they did and order them to stop
12 allowing Bradley to fill in accordance with a permit that
13 isn't fully authorized because you have not acted on it.

14 So the third final issue is, of course, this
15 whole issue of radioactive materials. I do not know how
16 you can approve a permit, knowing what you know today,
17 that you didn't know six months ago. The City of
18 Los Angeles didn't know it. I don't know how the City of
19 Los Angeles can come before you or send you information
20 requesting it. In fact, the City of Los Angeles should
21 have pulled back their request because they know that they
22 did not look at this issue of radioactivity.

23 Now, I'm not suggesting -- I'm not claiming the
24 sky is falling. This is low level radioactive waste. We
25 have an issue. There is a debate ongoing right now about

1 what the state's role in this should be, whether the state
2 should have tougher standards than the federal government.
3 And certainly I agree. But notwithstanding that, don't
4 you think you ought to know what those impacts are? Did
5 you look at those impacts? Did you look at radioactivity
6 specifically relative to this particular site? Or are you
7 going to turn a blind eye to that? Are you going to just
8 assume that everything's going to be fine and that this
9 whole argument about radioactivity is just some specious
10 claim by some ill-knowing organizations out there. I
11 don't believe it is. I think this is substantive,
12 scientific information that is new to the process, and I
13 would urge you to at least send this back to the City of
14 Los Angeles and demand that they look at a different
15 process and ensure that the public is heard.

16 Oh, by the way, I forgot to mention, there was no
17 outreach to the residential community. In fact, the
18 immediately adjacent -- there's no documented public
19 outreach. Now I know that Bradley has communicated with
20 the handful of residents that live immediately adjacent to
21 the landfill. But there was no public hearing on the
22 impacts to them.

23 I don't think that's right. I don't know that
24 there's any specific law, but I think the mandate of good
25 conscious tells you that there should have been that kind

1 of input from those residents.

2 With that, I would urge that you deny the permit,
3 number one. Or, number two, even if you don't deny the
4 permit, I would ask you and plead with you to send this
5 back to the City of Los Angeles. I believe that the City
6 of Los Angeles will come up with a better plan in
7 conjunction with the interest of the community, in
8 conjunction with the interest, in fact, even of Waste
9 Management because I believe there's a better way to do
10 this. And this Board, I believe, has a responsibility to
11 find that way.

12 And, again, I want to thank you so much for
13 coming out to the community. They very much felt a part
14 of government when you came out. But don't now shun your
15 responsibility to listen to what they said. The vast
16 majority of people, residents of that community, do not
17 want this expansion, do not want this regrade. They want
18 to see this facility cleaned up. They want trees. They
19 want reasonable mitigations. They want to know what's
20 going to happen when it closes. Give them that
21 opportunity to work in good faith with the landfill
22 operators and the City of Los Angeles to create an
23 entirely better opportunity for a better environment at
24 that particular site. Thank you very much.

25 CHAIRPERSON MOULTON-PATTERSON: Thank you,

1 Senator.

2 And as I mentioned to you at the workshop, this
3 Board takes environmental justice very seriously, as well
4 as Cal/EPA as a whole. We're very concerned, and I'm very
5 concerned with finding out the answers to the radioactive
6 waste question. But I do want to make sure at least that
7 people that have traveled up here get a chance to speak.

8 Assemblymember Montanez, welcome.

9 ASSEMBLYMEMBER MONTANEZ: Thank you. Good
10 afternoon and thank you, Madam Chair, Board members, for
11 allowing me to be here today.

12 And I have to start off by saying thank you to
13 those of you that attended the meeting in Sun Valley. I
14 think that was a very significant decision that you made
15 to actually go forward with Senator Richard Alarcon's
16 request to have a meeting in Sun Valley because, as you
17 saw, there were several hundred people that attended that
18 meeting and several hundred more that probably would have
19 been there, but it was a very rainy day.

20 As you saw, it's an issue that is extremely
21 important to those of us that live in the Northeast
22 San Fernando Valley and to the residents of that area. If
23 there's any issue that people are talking about right now
24 that they're concerned about, it's how do we improve the
25 environment?

1 Those of you that also had the opportunity -- I
2 know formerly Assemblymember Carl Washington and I took a
3 trip through Sun Valley. We spent several hours there
4 with Waste Management not only looking at the landfill,
5 but looking at the entire area of Sun Valley and really
6 trying to understand why people are so upset; why
7 residents are so concerned about this issue; why there's
8 so much community opposition. And I really do encourage
9 those of you who have not had the opportunity to go down
10 there -- I always make myself available as does Waste
11 Management doing everything we possibly can to make you
12 understand -- you see it for yourself how significant this
13 issue is for us in the 39th Assembly District in the
14 northeast part of the San Fernando Valley.

15 I'm here also to ask you to delay a decision on
16 this permit. And the request comes, I think, from being
17 exposed to more and more information as we continue to
18 study this issue.

19 Some of you, like I, are new too. I just got
20 elected to the State Assembly. I was former mayor of the
21 City of San Fernando. First time that I represent the Sun
22 Valley area. For some of you it's the first time that you
23 are actually appointed to the Waste Board, and I think
24 together we're learning a lot about this issue. The more
25 we learn about this issue, the more we discover and the

1 more questions are raised.

2 So I actually have several concerns, and my
3 concerns focus on several major issues. One, we've all
4 read the articles and seen reports on the credible
5 evidence that exists that radioactive waste has been
6 disposed in Bradley Canyon Landfill at one point or
7 another. Before even Waste Management was owner of that
8 site, there is very credible evidence that suggests that
9 radioactive material has been dumped at that site. We
10 need to really look at that issue very seriously. We need
11 to understand what the impacts will be to a community if
12 there has been radioactive material that has been dumped
13 there.

14 I'm aware that the State Water Resources Control
15 Board has recently conducted a study of impacts of the
16 disposal of radioactive waste in many of the landfills --
17 or several of the landfills including Bradley Landfill.
18 And until the final results come in on this landfill
19 radioactivity study, I think there's really no way for us
20 to ensure that the residents that live near Bradley
21 Landfill are not at risk, that the employees that work
22 there are not at risk, and that the groundwater is not at
23 risk. I think that's a very serious question that needs
24 to be answered. We need to continue to look at the
25 studies. We need to continue to conduct further

1 evaluation as to the impacts of that radioactive waste.

2 Preliminary results of the study indicate that
3 leachate from the Bradley Canyon Landfill exceeded the
4 maximum contaminate level for gross beta particles by a
5 factor of nine. By exceeding that maximum contaminate
6 level for gross beta particles, one, I would say that most
7 residents have no idea that this has been the case. And
8 even further, very few residents and very few of us
9 actually know, well, what does that mean? What does that
10 mean to our health? What does that mean to our safety?
11 What does that mean to the kids that are going to school
12 across the street and the people that are living in that
13 area?

14 That community in Sun Valley for many decades and
15 for many generations has lived in an area where there has
16 been serious contamination, not only from the landfill
17 there, you know. At some point, you know -- at one point
18 there was 16 operating landfills in my assembly district,
19 a lot of rock quarries, a lot of auto wreckage dismantling
20 sites. You take aerial photos, and you'll see this big --
21 just sections of oil on top of the ground. So we have to
22 be able to look at the cumulative impacts. And I really
23 encourage us to look at what the cumulative impacts are of
24 continuing to grant permits without very strict
25 enforcement, very strict regulations.

1 You know, we went and we toured the site. Not
2 only did I go along with Mr. Washington, but later on I
3 took my entire staff. People from Sacramento, my
4 district, staff, all of us went, and we took a tour of the
5 landfill. And when we were there, we noticed that there's
6 problems with the management of the leachate and storm
7 water collection at the landfill. Those of you that have
8 seen the site, but those have you that have not visited
9 the site, there's a storm water collection area where
10 there's an unlined earthen berm. It's unlined, so I think
11 there's serious concerns just within -- very serious
12 potential health impacts and environmental impacts that
13 could potentially exist from that situation because you
14 have water that's collecting there and going straight into
15 the groundwater. And we don't know how far it's going,
16 whether or not it's contaminated. We need to look at
17 that. We need to study that.

18 I have had discussions with Waste Management. I
19 have asked for different studies that have been conducted.
20 I have asked for different testing that's already been
21 conducted on the water, on the soil, on the air quality.
22 These are all very serious issues. And until we have, you
23 know, the scientific studies, you know, the analysis of
24 what is actually occurring at that site, we cannot grant a
25 permit to move forward.

1 And so I'm hear again asking that we postpone
2 this decision, that we work with the lead agency, that we
3 work with Waste Management, that we work together as a
4 Board. I'm here as the Assemblymember for that area
5 pleading you to please postpone this decision. Let's wait
6 until we have these questions answered. Let's seriously
7 take into consideration all the people that live in that
8 community.

9 Those of you that were there saw the kids come
10 forward complaining about, you know, issues. You know,
11 they can't breathe when they're out playing. They have --
12 their nose bleeds because they're out there playing.
13 Families coming out and complaining about the smell. And
14 it's not to say that it's coming from the landfill. But
15 it is important to understand that because of everything
16 that's going on in that community, we have to analyze the
17 community as a whole.

18 Which leads me to my last point, that I ask you
19 seriously also to consider the issue of environmental
20 justice. And I do appreciate the fact, Madam Chair, that
21 you did state at the hearing that this is something that
22 the Board considers. And I know that many of you do take
23 that issue into very serious consideration. And that
24 makes me feel, you know, a lot better because I do believe
25 that this is a serious issue of environmental justice for

1 a community that is a poor, working class, blue collar
2 community. The residents there care a lot about what's
3 going on. They're very much involved. They want to know
4 more about what's going on.

5 I'm so happy to hear we're having these workshops
6 back in the district, that either the company along with
7 the Board and along with those of us that represent the
8 area are doing everything possible to educate the
9 community so we have the information.

10 So finally, you know, I just want to say again
11 that I do look forward to working with you. I think that
12 many of us -- or many of you that are Board members and I
13 have developed strong relationships. I do look forward to
14 developing stronger and stronger relationships, that we
15 look at this issue in a very thorough way, in a very
16 detailed way because at the end of the day what we're
17 talking about, we're talking about protecting children.
18 We're talking about protecting a community that for too
19 long has had many issues of environmental injustice.

20 So thank you again.

21 CHAIRPERSON MOULTON-PATTERSON: Thank you very
22 much for coming. We very much appreciate it. The
23 questions that you raised in your letter are very -- I
24 think I can speak for every member of the Board. We want
25 to get answers to these.

1 And also, I will speak with Art Baggett, the
2 State Water Board Chair. We have had one joint meeting
3 with them, and this seems to me this would be something we
4 really need to discuss with them. So thank you for
5 bringing that up also.

6 Ms. Peace.

7 BOARD MEMBER PEACE: You're asking us here today
8 to put this -- postpone this until the April 9th Board
9 meeting. And in order for us to address these concerns --
10 I have no opposition to doing that. What I want to make
11 sure today is we are hearing all of your issues and
12 concerns because if we put this over to the April 9th
13 Board meeting, we're getting real close to the deadline.
14 We need to hear all your concerns and stuff today so we
15 have time to look at them before the April 9th Board
16 meeting. Because if something else comes up April 9th we
17 haven't heard before, you're going to be right to the
18 deadline there.

19 I just want to make sure any concerns, questions
20 that you have that you bring them up today so they can be
21 addressed by the people at Waste Management and we have
22 time to look into everything that you're concerned about.

23 CHAIRPERSON MOULTON-PATTERSON: Would you like to
24 speak to that?

25 ASSEMBLYMEMBER MONTANEZ: So the main priorities

1 for us are, one, to look at the radioactive waste, the
2 leachate collection and the management, the storm water
3 runoff, the landfill gas control, the regrade methodology
4 as -- if the regrade were to happen, how would it occur?
5 You know, we have asked Waste Management to explain to us
6 the process.

7 You know, at one point we understood that trash
8 was actually going to be taken out of the unlined portion
9 of the landfill and moved over to the lined portion. But
10 then it's my understanding from a conversation from
11 Mr. Stoddard that's not going to be the case. So we want
12 to make sure we understand what the methodology is going
13 to be if the regrade were to go through. We don't want to
14 have any kind of trash exposed. If trash is going to be
15 moved around, if some of this trash is radioactive trash,
16 how do we -- we need to understand what methodology is
17 going to be used.

18 And also the issue -- I know in the staff report
19 there is no comments or analysis of the environmental
20 justice issue. I would like that issue to be addressed.
21 We need to look at the cumulative impacts of everything
22 that's going on in that neighborhood. So those would be
23 the main priorities.

24 We've outlined those in the letter. We'll be
25 submitting, you know, after the hearing today. And after

1 what we're hearing, some of the other comments, we're
2 going to be continuing to give our input.

3 I do thank you again for listening to these
4 concerns and for working with us to make sure that we get
5 answers to all these questions.

6 CHAIRPERSON MOULTON-PATTERSON: And again I will
7 assure you that we will postpone it to the April 9th Board
8 meeting. But I do want to hear the speakers that have
9 traveled so far.

10 Ms. Peace.

11 BOARD MEMBER PEACE: I do want to address maybe
12 an environmental justice concern here.

13 Senator Alarcon -- I see he made a quick getaway
14 again. But he did bring up, you know, this is an
15 industrial area, not only a dump. There's dumps that have
16 been closed. There's industrial sandpits and gravel pits
17 and wrecking yards. He's right. The area is a cesspool.
18 But as you know, the Board did not site any of those
19 things. That was all done by your City Council. And they
20 did not do a very good job with your city. And I really
21 feel bad about that.

22 Hopefully we can work on some of those problems.
23 And I think Waste Management here with them being in your
24 community can help you with some things. We can work on
25 some things where maybe part of the tipping fee could go

1 to your area to do the sidewalks, to put in the trees.
2 Maybe we can work on a plan through your City Council,
3 with the Senator, with the Assemblymember, with the
4 counsel that may be -- I know at the hearing a lot of
5 people say, "How come other areas don't have a dump? How
6 come Westwood? How come Bel Air? How come they don't
7 have a dump?" Well, I say why can't we work on something
8 where the people that live in those areas maybe pay a
9 little bit more on their trash bill to go towards these
10 host communities. And maybe that money can help those
11 communities build some parks, build some baseball fields,
12 build some soccer fields, you know, put in some trees and
13 clean up that neighborhood.

14 I think maybe here you have an opportunity to
15 actually work something out, especially with all the
16 cities and everything being in such a budget crunch right
17 now. You want these things to happen, but where is the
18 money going to come from? I think if we start looking at
19 some things like this, there might be an answer there.

20 CHAIRPERSON MOULTON-PATTERSON: Thank you,
21 Ms. Peace.

22 Mike Mohaier, followed by Cynthia Rodriguez.

23 I'm going to change the order a little bit
24 because I see some of these people are going to waive
25 their testimony. It will be Mike Mohaier followed by

1 Carol Ann Ziehler.

2 Mike Mohaier.

3 MR. MOHAIER: Good afternoon, Madam Chair,
4 Members of the Board. My name is Mike Mohaier, and today
5 I'm before you on behalf of the Los Angeles County
6 Integrated Waste Management Task Force. They are just
7 delivering a letter that county counsel wrote on behalf of
8 the Task Force. And it's -- I would like to read it for
9 the record.

10 The letter is dated March 17th, 2002.

11 "Integrated Waste Management Board. Subject:
12 Agenda Item 31, Consideration of Revised Full
13 Solid Waste Facilities Permit for Bradley
14 Landfill West and West Extension Los Angeles
15 County.

16 Dear Board Members: This letter is submitted
17 on behalf of the County of Los Angeles Department
18 of Public Works as a staff to the Los Angeles
19 County Integrated Waste Management Task Force
20 regarding the finding of conformance contained at
21 page 5 of the staff report for Agenda Item 31.
22 Item 31 is identified as 'Consideration of
23 Revised Solid -- Revised Full Solid Waste City
24 Permit for Bradley Landfill West and West
25 Extension Los Angeles County.'

1 The Staff Analysis section appears to
2 conclude that since the location of Bradley
3 Landfill West and West Extension was identified
4 in the Los Angeles County Countywide Siting
5 Element, the proposed permit to allow additional
6 capacity is automatically in conformance with the
7 Siting Element. The additional capacity now
8 contemplated by the permit before your Board
9 would expand the capacity of the landfill beyond
10 what is contemplated in the Siting Element. This
11 additional capacity constitutes an expansion of
12 the facility.

13 California Code of Regulations, Title 14,
14 Section 18756.1(a) requires that every Siting
15 Element contain a description of each proposed
16 expansion of the existing solid waste facilities.
17 Section 7.5 of the County Siting Element contains
18 descriptions of landfills in Los Angeles County
19 proposed for expansion. Bradley is not among the
20 landfills described. Since the proposed
21 expansion to allow additional capacity appears
22 not to be contemplated by the County Siting
23 Element, the question is whether the criteria
24 established in Title 14, Code of Regulations
25 Section 18756 have ever been addressed relative

1 to the proposed additional capacity.

2 A key function of any Siting Element is to
3 ensure that the criteria established in Title 14,
4 Section 18756(a) is confirmed for the expansion
5 of the existing landfills. Pursuant to Section
6 18756(b), the Siting Element contains a process
7 to confirm that the criteria set forth in
8 Title 14 of the California Code of Regulations,
9 Section 18756(a) have been considered. Since the
10 impact from additional capacity is not
11 contemplated by the Siting Element and the
12 criteria in Section 18756.1(a) has not been
13 addressed, it would not be appropriate for your
14 Board to make a finding of conformance with the
15 Siting Element at this time.

16 On behalf of the Task Force, we respectfully
17 request that your Board consider objecting to the
18 issuance of the proposed permit until such time
19 as additional capacity is evaluated pursuant to
20 the Countywide Siting Element to confirm that
21 criteria set forth in Title 14 of the Code of
22 Regulations 18756(a) have been considered.

23 Very truly yours, Lloyd W. Pellman, County
24 Counsel. Signed by Peter Gutierrez, Senior
25 Deputy Counsel, Public Works Division."

1 Thank you.

2 CHAIRPERSON MOULTON-PATTERSON: Thank you,
3 Mr. Mohaier.

4 Legal I assume got a copy of this and will get
5 back to us on it. I'm sorry. We have Mr. Paparian and
6 then Mr. Jones.

7 BOARD MEMBER PAPARIAN: Thank you, Madam Chair.

8 I actually would like to hear a brief response
9 from our legal staff.

10 But, Mr. Mohaier, just so I understand this, what
11 you're saying here is you think that this expansion needs
12 to be okayed by your Solid Waste Task Force, your
13 Integrated Waste Management Task Force?

14 MR. MOHAIER: Mr. Paparian, just correcting, not
15 twisting the verbiage around.

16 The Task Force have provided a number of letters
17 to your Board indicating the process of Siting Element.
18 And what your Board regulation today -- and indicates your
19 regulation is in the book. So your counsel wrote back
20 that they do not want to talk to Mike Mohaier, that I'm
21 engineer from the Department of Public Works Force. So
22 now you have the formal response from the county counsel,
23 legal counsel that does not agree that this is the case.
24 So all I'm saying --

25 BOARD MEMBER PAPARIAN: Okay.

1 MR. MOHAIER: No. Mr. Paparian, please do not
2 twist the stuff around. I'm asking -- what the Task Force
3 is asking your Board, are you intending to enforce your
4 own regulations that the Siting Element had to be prepared
5 for and complied with? Yes or no. That is the question.
6 The question is not Bradley -- and please do not change
7 the issue.

8 CHAIRPERSON MOULTON-PATTERSON: Thank you.

9 BOARD MEMBER PAPARIAN: Sorry. I'm not trying to
10 twist anything. I have read all your correspondence.
11 I've listened to your testimony --

12 MR. MOHAIER: Mr. Paparian, as I indicated in my
13 e-mail to you, this is not a Mike Mohaier correspondence.
14 This is a regional body that has a Board appointee from
15 the City of L.A., has Board appointee from the League of
16 California City. I am just a staff to that body. And so
17 I do not appreciate you make the issue personal. You have
18 to comply with the law. You are sitting over here to
19 comply with the law. You're sitting over here to comply
20 with the regulation that your Board adopted. And that is
21 what the Task Force is addressing.

22 Beyond that, I don't have any other response.
23 Thank you.

24 CHAIRPERSON MOULTON-PATTERSON: Mr. Mohaier --

25 BOARD MEMBER PAPARIAN: Can I just --

1 CHAIRPERSON MOULTON-PATTERSON: Mr. Paparian.

2 BOARD MEMBER PAPARIAN: I'm trying to get a
3 question answered. I'm sorry if Mr. Mohaier thinks I'm
4 getting personal about it.

5 Mr. Mohaier, if you don't want to answer this
6 question, that's fine. I'm just trying -- I'm trying to
7 understand all these things.

8 MR. MOHAIER: Mr. Paparian, you have a letter
9 from the county counsel on behalf of the Task Force, and
10 that is the response.

11 BOARD MEMBER WASHINGTON: Hold on. Hold on.

12 CHAIRPERSON MOULTON-PATTERSON: Just a moment,
13 Mr. Washington. I can handle this.

14 Mr. Mohaier, this letter is a new letter, and it
15 was dated March 17th. I'd like for counsel to look at
16 this letter, and we will get back to Mr. Mohaier.

17 And then Mr. Jones was next.

18 BOARD MEMBER PAPARIAN: I wasn't quite done. Can
19 I just put my question on the record? If Mr. Mohaier
20 chooses not to answer it, that's fine.

21 My question is whether the Integrated Waste
22 Management Task Force of Los Angeles County believes that
23 this permit needs to go through their Task Force for
24 approval?

25 MR. MOHAIER: I would suggest that you read the

1 letter that I just handed out.

2 CHAIRPERSON MOULTON-PATTERSON: Thank you,
3 Mr. Mohaier.

4 Mr. Jones.

5 BOARD MEMBER JONES: Madam Chair, I think I'll
6 defer to your direction.

7 But just for history for a couple of Board
8 members. The issue of -- this issue about Siting Elements
9 was handled by the full Board. Mr. Mohaier was part of
10 the working group that worked on this issue. He may not
11 have agreed with the results, but it, in fact, was a
12 public meeting, right, when we talked about what is
13 conformance as far as Siting Elements. And it was, for
14 lack of a better description, the location of a facility
15 and expansion became the expansion outside of the
16 permitted boundaries, those that had already been
17 delineated. And that was for -- right? I mean, that was
18 for the purposes of just what we're talking about.

19 Now, some people didn't agree. The Board
20 actually did agree. So I'll let counsel talk to this
21 issue. But that has been -- this has been a problem with
22 L.A. County and the interpretation. But, in fact, it was
23 decided by this full Board to make sure that we were
24 consistent with the law.

25 CHAIRPERSON MOULTON-PATTERSON: Thank you,

1 Mr. Jones. I just -- this is a new letter by a new
2 person. I want it looked at.

3 And Mr. Medina.

4 BOARD MEMBER MEDINA: Thank you, Madam Chair. I
5 just wanted to say to Mr. Mohaier, whether the letter came
6 from the attorney or yourself, I just want to let you know
7 that, you know, some of us on the Board, you know, hold
8 your information in high regard -- correspondence in a
9 very high regard, and we give it serious consideration.
10 And so thank you for your letter and for anything else,
11 any other light that you might shed on this subject.

12 CHAIRPERSON MOULTON-PATTERSON: Thank you,
13 Mr. Medina.

14 Carol Ann Ziehler. I'm sorry. I'm probably
15 mispronouncing it. Welcome. From the East Valley
16 Coalition in Sun Valley. Welcome to our Board meeting.

17 MS. ZIEHLER: Thank you, Madam Chair and Board
18 members. I'm Carol Ziehler.

19 CHAIRPERSON MOULTON-PATTERSON: Ziehler.

20 MS. ZIEHLER: Right. Thank you. And I'm
21 President of the East Valley Coalition, and I have sent
22 most of this information to you by e-mail. And then I
23 handed a letter signed to your secretary.

24 On behalf of the East Valley Coalition,
25 residents, and business owners in the community of

1 Sun Valley, I wish to express our sincere gratitude and
2 appreciation to all the Waste Board Members and staff in
3 making the trek Friday the 13th to our community to listen
4 to us on the Bradley Landfill 1998 regrade permit. We
5 appreciate the time and resources it took to accomplish
6 this task. Special note should be made to Mark de Bie and
7 especially Kit Cole for their patience and fortitude
8 throughout this process. We hope that the February 13th
9 visit was just the beginning of a more personal
10 relationship between your Board and the constituents here
11 and elsewhere.

12 Due to time constraints at the meeting, a request
13 from the East Valley Coalition for a follow-up meeting was
14 held February 28th, which included representatives from
15 your Board, City Planning, LEA, County Task Force, Mayor
16 Hahn, Councilwoman Ruth Galanter, Assemblyman Cindy
17 Montanez, L.A. Metro, Waste Management, Neighborhood Legal
18 Services, the North Valley Coalition, and the East Valley
19 Coalition.

20 The purpose of this meeting was to review
21 questions raised by the East Valley Coalition and the
22 community concerning the regrade project or permit. In
23 spite of a full day's session, issues pertaining to the
24 California Environmental Quality Act, CEQA, were not
25 addressed.

1 We held another meeting on March the 12th to
2 specifically address these issues. A number of
3 irregularities emerged. One, the 1975 and 1977 EIR's
4 clearly and consistently declared the intent of the
5 projects for both Bradley West and Bradley West Expansion
6 to bring the elevation of the mining operation excavation
7 to ground level, plus 12 feet for settlement. This intent
8 is repeated at least five to six times in each EIR.

9 The total of approximately 38 million cubic yards
10 of material that Waste Management contends were disclosed
11 in these documents was intended to bring the elevation to
12 ground level. How does this same amount create an
13 11-story mountain in the middle of our community?

14 Number two, subsequent mitigated negative
15 declaration for 1986, 1991, and 1996 seem to track minor
16 changes such as tonnage increases, hours of operation.
17 However, these and other changes were actually described
18 in phasing plans that should have been accompanied with
19 the MND, the mitigated negative declaration. Now we know
20 we can see only the illusion to such plans, but how would
21 the community here know? How would we have known?

22 The intent of this project description seems to
23 be an obscuration of the real project rather than a clear
24 disclosure. The intent of CEQA is to clearly disclose
25 environmental impacts to the community and decision-makers

1 for assessment and comments. The community surely would
2 have commented.

3 In short -- I have one other item here. That is
4 in your 1986 agenda, a 300-foot buffer was added or
5 stipulated to the RA-1 zone on Ralston Avenue to be filled
6 with only inert material. Los Angeles City Zoning
7 Ordinance Number 172933 requires a 500-foot setback
8 requirement, buffer zone, between the disposal area, waste
9 boundaries, and the permitted property boundaries for
10 certain activities that have the potential to generate
11 noise, odors, vibrations such as solid waste and landfill.
12 Okay. The buffer no longer exists. And regular landfill
13 waste is being deposited within 106 feet from the nearest
14 resident. Now, Puente Hills has a 1,000-foot buffer.
15 Sunshine landfill has a 500-foot buffer, and Bradley
16 Landfill had a 300-foot buffer that just disappeared
17 without notice or EIR.

18 In short, minor changes in landfill operations
19 have accrued over the years that have not been fairly and
20 openly disclosed to the public for evaluation. These
21 small changes have been considered insignificant by the
22 lead agency and the LEA. These changes have been
23 cumulatively devastating to this community and never
24 admitted, addressed, or mitigated. How could a
25 predominately blue collar and low income Latin community

1 know how to comment on these changes without outreach and
2 CEQA education?

3 Waste Management has depended on the disgruntled
4 silence of the community while Planning and the LEA
5 considered it a silent assent. Coupled with frequent
6 lapses in political representation and local pro-business
7 leadership, Sun Valley has spiraled into a cesspool for
8 Los Angeles. Meanwhile, the intent and spirit of CEQA
9 were subverted, and the community steamed in quiet
10 desperation.

11 These changes now before the Board including the
12 elevation, disposal capacity, acreages, and the closure
13 date need to be fairly and openly disclosed to the public
14 for evaluation now. Therefore, East Valley Coalition
15 respectfully requests that the California Integrated Waste
16 Management Board assume the roll of lead agency under the
17 California Environmental Quality Act and disclose the
18 impacts associated with these changes.

19 Additionally, we request that the Board include a
20 stipulation in this and future permits, RDSI's or any
21 joint technical documents, that the LEA disclose any
22 future minor changes, regardless of how minor, and have
23 general disclosure and public review and outreach.

24 We appreciate this opportunity to comment, and we
25 trust in your good judgment. Thank you.

1 CHAIRPERSON MOULTON-PATTERSON: Thank you very
2 much for coming up and addressing us. We'll take this all
3 into consideration.

4 MS. ZIEHLER: You're welcome.

5 CHAIRPERSON MOULTON-PATTERSON: I believe the two
6 speakers I had next, Cynthia Rodriguez and Doug Corcoran,
7 wanted to waive their speaking since it's my intent to
8 have this held over to the April 9th Board meeting.

9 Some serious questions have been asked, and I
10 want to make sure we have full answers, and I just don't
11 think we can. The letter is dated March 17th, and we have
12 not had the time to get full answers.

13 So, Ms. Tobias, I didn't mean to cut you off
14 there. I just thought I want to give you more time to
15 look at this letter. Did you have -- did you have
16 anything you want --

17 CHIEF COUNSEL TOBIAS: No.

18 CHAIRPERSON MOULTON-PATTERSON: Okay. Any Board
19 members wish to comment before I close?

20 Mr. Paparian.

21 BOARD MEMBER PAPARIAN: Thank you. I mean, there
22 have been a number of questions raised, and I just want
23 to -- including the last one having to do with us taking
24 over as lead agency under CEQA, radioactivity questions,
25 questions about the buffer, and other things. Does the

1 staff feel that they have the questions and are going to
2 be able to provide us some answers on these between now
3 and April 9th? I think the reason we're putting this over
4 is so we can get the answers.

5 CHAIRPERSON MOULTON-PATTERSON: Absolutely.
6 Yeah. We've listed radioactive waste disposal, leachate,
7 the storm water runoff, landfill gas control, the full
8 disclosure of the details of the regrade project, and the
9 buffer question, and the lead agency question.

10 Was there anything else?

11 BOARD MEMBER PAPARIAN: And I guess the letter,
12 which I really couldn't get as much of an explanation as I
13 wanted. But I guess the letter --

14 CHAIRPERSON MOULTON-PATTERSON: Oh, and the
15 letter.

16 BOARD MEMBER PAPARIAN: -- speaks for itself. So
17 whatever response there would be to that.

18 MR. WALKER: Scott Walker, Permitting Enforcement
19 Division. Absolutely, yeah. We will record these and
20 prepare a response and have it ready for the 9th.
21 Absolutely.

22 CHAIRPERSON MOULTON-PATTERSON: Thank you very
23 much.

24 Any other Board members have questions?

25 Ms. Peace.

1 BOARD MEMBER PEACE: I want to make sure it was
2 on that list. When she mentioned like the EIR, she said
3 past EIR's showed it at ground level plus 12 feet for
4 settlement, and now it's this great big hill. You've got
5 to look at that also, please.

6 CHAIRPERSON MOULTON-PATTERSON: Thank you,
7 Ms. Peace. We will.

8 I see no other questions. This is the end of a
9 two-day meeting, and I will call for any public comments
10 if there are any. Seeing none, this meeting is adjourned.
11 Oh, excuse me.

12 Ms. Peace.

13 BOARD MEMBER PEACE: I was just wondering if
14 there's anyone at Waste Management that wanted to try to
15 address the radioactivity question. Do you want to do
16 that later?

17 MR. WHITE: Madam Chair, members of the Board,
18 Chuck White with Waste Management.

19 Waste Management is concerned as the community is
20 about radioactive waste. We have done everything humanly
21 possible over the years to try to exclude anything that
22 would be regulated as a radioactive material from any of
23 our landfills, including Bradley.

24 Bradley has a radioactive waste detection system
25 at the gate. It's one of the few landfills in the state

1 that actually has a detective system to exclude
2 radioactive waste. It's sensitive enough to include human
3 beings that are undergoing radiation therapy. It detects
4 soiled linens that might come in by mistake. We segregate
5 those loads. We make sure they go out to the proper
6 disposal facilities.

7 It's not our intent to be in the radioactive
8 waste business. We encourage the State of California, the
9 Department of Health Services, Cal/EPA to set whatever
10 standards you believe are appropriate and enforce those
11 against generators to ensure they don't commingle
12 inappropriate radioactive materials with the waste they
13 may send to any solid waste facility including Bradley
14 Landfill.

15 We do monitor our leachate. We do monitor the
16 groundwater. There is a recent effort by the State Water
17 Resources Control Board and the regional boards to take a
18 look at radioactivity and leachate and groundwater. The
19 good news is Bradley does not have any evidence of any
20 radioactivity in any groundwater at the facility. There
21 is heightened levels of beta emissions -- gross beta. We
22 believe it's highly correlated to potassium levels in
23 waste. It's typical of solid waste. We're not saying
24 potassium is the only source necessarily.

25 We're going to be certainly working with the

1 State and Regional Water Quality Control Boards in the
2 future to determine as best we can what are the possible
3 isotopes that would be leading to this level of beta. But
4 from our understanding of information from other
5 landfills, while it is elevated, it's nothing that should
6 be of concern. It doesn't pose any radiation threat we're
7 aware of to workers or to the community. But we're
8 certainly looking at that in much greater detail.

9 The standards that are being referred to that its
10 beta levels are nine times MCL's, that's a drinking water
11 standard. No one's proposing we drink leachate. Leachate
12 has a tenancy to concentrate a lot of things that are in
13 landfills. Not that I'm trying to discount this. We'll
14 be looking at it much more closely to see if we can
15 determine the sources and origin of these materials.

16 The bottom line is we don't want to take
17 radioactive materials into our landfills. We've done
18 everything humanly possible that we can. We've erected
19 signage at our landfills including Bradley. We recently
20 sent out 190,000 notices to all of our commercial
21 industrial customers throughout California saying we do
22 not want to accept any decommissioned radioactive
23 materials. You may recall there has been some concern in
24 the past of the Department of Health Services
25 decommissioning radioactive waste and then having them

1 allowed. After decommissioning, they're no longer
2 radioactive waste, per se, and they can be shipped off by
3 a generator to potentially any landfill or even recycling
4 facilities or playgrounds for that matter.

5 We have sent notices out to 190,000. We're going
6 to repeat that notice twice a year until the Governor's
7 moratorium on the disposal of decommissioned materials
8 ends at some point in time in the future or is continued
9 or is followed in something else. Our intent is to do
10 everything we can humanly possible to keep these kinds of
11 materials out of the landfills and including the Bradley
12 Landfill. Thank you.

13 CHAIRPERSON MOULTON-PATTERSON: Thank you,
14 Mr. White.

15 Any other comments by any Board members? Seeing
16 none, this meeting is adjourned. Thank you all very much.

17 (Thereupon the California Waste Management Board
18 adjourned at 2:36 p.m.)

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1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing hearing was reported in shorthand by me,
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the
8 State of California, and thereafter transcribed into
9 typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 2nd day of April, 2003.

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21
22
23 TIFFANY C. KRAFT, CSR, RPR
24 Certified Shorthand Reporter
25 License No. 12277